

**TERMINAL DISCLAIMER TO ACCOMPANY PETITION**

Docket Number (Optional)

38-58(13696)B/ 28079-41333

In re Application of:

Name: Kenneth A. Barton et al.

Application Number: 07/827,906-Conf. #3375

Filed: January 30, 1992

For: IMPROVED EXPRESSION OF GENES IN PLANTS

The owner*, MONSANTO TECHNOLOGY L.L.C. of 100% percent interest in the above-identified application hereby disclaims a terminal part of the term of any patent granted the above-identified application equivalent to: (1) if the above-identified application is a design application, the period of abandonment of the above-identified application, and (2) if the above-identified application is a utility or plant application, the lesser of: (a) the period of abandonment of the application; or (b) the period extending beyond twenty years from the date on which the above-identified application was filed in the United States or, if the application contains a specific reference to an earlier filed application(s) under 35 U.S.C. 120, 121, or 365(c), from the date on which the earliest such application was filed. This disclaimer also applies to any patent granted on a utility or plant application filed before June 8, 1995, or a design application, that contains a specific reference under 35 U.S.C. 120, 121, or 365(c) to the above-identified application. This disclaimer is binding upon the grantee, and its successors or assigns.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.
2. ☒ The undersigned is an attorney or agent of record. Registration Number 38,153

David A. Gass
Signature

Nov 21, 2007
Date

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Typed or printed name

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- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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